

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD R. VISSER, DONOVAN J. VISSER,
AND VISSER AND ASSOCIATES, PLLC,

No.: 1:23-MC-62
Hon. Hala Y. Jarbou

Petitioners.

REQUEST TO TAKE JUDICIAL NOTICE

Pursuant to Federal Rule of Evidence 201(c)(2), Petitioners request that judicial notice be taken of the attached order (ECF No. 381) that was entered on August 22, 2023, in the related underlying case of *Wayside Church v Van Buren County*, No. 1:14-cv-1274.

The order addresses the allegations of Independent Counsel that Class Counsel violated MRPC 4.2(a) by contacting/soliciting persons who were known to be represented by Independent Counsel. The Court declined to convene show cause proceedings under L Gen R 2.3(d) on the ground that “Independent Counsel failed to identify a purposeful violation by Class Counsel.”

Judicial notice may properly be taken of developments in related proceedings in other courts of record. *Chase Bank, USA, N.A. v City of Cleveland*, 695 F. 3d 548, 558, fn 2, (6th Cir. 2012).

Respectfully submitted,
**SULLIVAN, WARD, PATTON,
GLEESON & FELTY, P.C.**

/s/Robert E. Edick

Robert E. Edick (P25432)
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Dated: August 30, 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2023, I caused to be electronically filed the foregoing document with the Clerk of the Court using the ECF System, which will send notification to the ECF counsel of record.

/s/Robert E. Edick

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